IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 25179 of 2004

Between:

S. Srinivasulu, S/o. Janaiah,
R/o. Miryalaguda, Nalgonda District.

..... PETITIONER

AND

1 The A.PS.R.T.C. rep by its Regional Manager, Nalgonda.
2 The Depot Manager, A.PS.R.T.C. Nalgonda.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably writ of mandamus declaring the inaction of the respondents in withholding the amounts of the petitioner and not releasing full amount as per the plying of the bus as illegal, arbitrary, contrary to record and violative of principles of natural justice and consequently direct the respondent to release the difference amount as per the representations dt. 3-7-2001, 9-1-2001, 29-9-2004 and 1-11-2004.

Counsel for the Petitioner : MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent Nos.1&2: MR.V.T.M.PRASAD, STANDING COUNSEL FOR APSRTC

The Court at the stage of admission, made the following :

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ORDER:

Withholding the amounts of the petitioner and not releasing full amount as per the plying of the bus, the present writ petition is filed.

The learned counsel for the petitioner contended that some penal amount has to be paid by the respondent-Corporation and for that purpose, the petitioner made several representations including the last representation dated 1.11.2004, but the respondent-Corporation have not passed any orders.

On the other hand, the learned Standing Counsel for the respondents contended that the petitioner is bound by the

terms and conditions of the agreement in plying the vehicle. If there is any penal amount to be paid, the same shall have to be considered in accordance with the terms and conditions of the contract.

Therefore, without entering into the merits of the case, a direction is given to the respondents to take appropriate decision in pursuance of the contract between the petitioner and the respondents in plying the vehicle and if there is any amount to be paid, the same may be paid in accordance with the terms and conditions of the contract within two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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31.12.2004

bsv

To

1 The Regional Manager,A.PS.R.T.C. , Nalgonda.
2 The Depot Manager, A.PS.R.T.C. Nalgonda.

3 2 CD copies